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5                   UNITED STATES DISTRICT COURT  
6                   WESTERN DISTRICT OF WASHINGTON  
7                   AT TACOMA

8                   ROBERT SMITH Jr.,

9                   Plaintiff,

10                  v.  
11                  C/O KOLA *et al.*,

12                  Defendants.

Case No. C07-5231 FDB

ORDER DENYING MOTION TO  
APPOINT COUNSEL

This matter comes before the Court on motion to appoint counsel. This Court has already considered the propriety of the strikes entered against Plaintiff and revoked his *in forma pauperis* status. See 28 U.S.C. §1951(g). The Plaintiff has failed to provide the Court with a basis for the appointment of counsel. See United States v. 30.64 Acres of Land, 795 F.2d 796, 801 (9<sup>th</sup> Cir. 1986); 28 U.S.C. § 1915(d).

ACCORDINGLY;

IT IS ORDERED:

Plaintiff's motion for appointment of counsel [Dkt. #29] is **DENIED**.

The Clerk is directed to send copies of this Order to Plaintiff, and to the Hon. J. Kelley Arnold.

DATED this 28<sup>th</sup> day of November, 2007.

  
FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE